



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Department of Revenue

☒ **Preproposal Statement of Inquiry** was filed as WSR 09-08-089; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR ; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

☒ **Original Notice**
☐ **Supplemental Notice to WSR**
☐ **Continuance of WSR**

Title of rule and other identifying information: WAC 458-40-610 Timber Excise Tax – Definitions & WAC 458-40-660 Timber excise tax -- Stumpage value tables**Hearing location(s):**

Capitol Plaza Building
4th Floor – L&P Large Conference Room
1025 Union Avenue SE
Olympia, Washington 98504

Date: June 24, 2009 Time: 10:00 a.m.

Submit written comments to:

Name: Mark Bohe
Address: Post Office Box 47453
Olympia, Washington
98504-7453
e-mail markbohe@dor.wa.gov
fax (360) 586-0127
by June 24, 2009

Assistance for persons with disabilities: Contact Martha Thomas at (360) 725-7497 no later than 10 days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

Date of intended adoption: June 30, 2009
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: RCW 84.33.091 requires the Department to revise the stumpage value tables every six months. The Department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The values in the proposed rule will apply to the 2nd half of 2009. The Department is also proposing to move the definition of “forest-derived biomass” currently provided in WAC 458-40-660 into WAC 458-40-610.

Copies of draft rules are available for viewing and printing on our website at:

<http://dor.wa.gov/content/FindALawOrRule/RuleMaking/agenda.aspx>

Reasons supporting proposal: The law requires that these stumpage values be updated as of January 1st and July 1st of each year.

Statutory authority for adoption: RCW 82.32.300,
82.01.060(2), and 84.33.096

Statute being implemented: RCW 84.33.091**Is rule necessary because of a:**

Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

Date

May 19, 2009

Name

Alan R. Lynn

Signature**Title**

Rules Coordinator

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

DATE: May 19, 2009**TIME: 2:42 PM****WSR 09-11-109**

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington State Department of Revenue

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting.....Mark E. Bohe	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6133
Implementation.... Stuart Thronson	1025 Union Ave. SE. Ste #300, Olympia ,Wa	(360) 570-3230
Enforcement..... Stuart Thronson	1025 Union Ave. SE. Ste #300, Olympia ,Wa	(360) 570-3230

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ No small business economic impact statement is required.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Mark Bohe
Address: Post Office Box 47453
Olympia, Washington
98504-7453
e-mail markbohe@dor.wa.gov
fax (360) 586-0127

The proposed rule is a significant legislative rule as defined by RCW 34.05.328.